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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

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<b>In re:</b>	:	<b>Chapter 13</b>
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<b>JOSEPH F. BISSETT and</b>	:	<b>No. 18-00983-RNO</b>
<b>AMY R. BISSETT,</b>	:	
	:	
<b>Debtor.</b>	:	

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**DEBTORS' OBJECTION TO  
CLAIM NUMBER 5 OF PNC BANK, NA**

AND NOW COME the Debtors, JOSEPH and AMY BISSETT., by and through their undersigned attorney, JOSHUA HUMPHRIES, ESQUIRE and move this Court for entry of an Order granting their Objection to the Claim of PNC BANK, N.A., and aver as follows:

1. On November 17, 2014, JOSEPH and AMY BISSETT (hereinafter "Debtors") filed a Voluntary Petition for under Chapter 13 of the Bankruptcy Code in the Middle District of Pennsylvania, bearing case number 14-05322-RNO (hereinafter the "First Chapter 13").

2. On PNC BANK (hereinafter "PNC") filed a Proof of Claim indicating pre-petition arrears of \$50,144.29. **Exhibit A.**

3. On February 25, 2016, PNC and the Debtors entered into a Stipulation resolving a Motion for Relief filed by PNC. **Exhibit B.**

4. On October 27, 2018, the First Chapter 13 was dismissed.

5. On March 2, 2018, the Debtors filed this Chapter 13 (hereinafter the “Second Chapter 13”).

6. On May 1, 2018, PNC filed a Proof of Claim (Claim No. 5). Between the First Chapter 13 and the Second Chapter 13, PNC is alleging it incurred \$11,504.67 in costs:

<b>Property Inspection Fees</b>	<b>\$594.00</b>
<b>BPO Fees</b>	<b>\$169.00</b>
<b>Unidentified Legal Costs</b>	<b>\$7,181.67</b>
<b><u>Legal Fees</u></b>	<b><u>\$3,560.00</u></b>
<b>TOTAL</b>	<b>\$11,504.67</b>

**Exhibit C.**

6. However, the only reasonable legal work incurred by PNC was for Motion for Relief and Stipulation resolving the Motion in the First Chapter 13. The costs associated with said Motion and Stipulation were \$1,026.00. See Ex. B.

7. Additionally, the Proof of Claim asserts that the Debtors failed to make mortgage payments from November 1, 2017 through April 12, 2018. However, in between the dismissal of the First Chapter 13 and the filing of the Second Chapter 13, the Debtors maintained their monthly mortgage payments to PNC and attempted to make their mortgage payments between November 1, 2017 and March 1, 2018. PNC accepted four of the five payments due.

However, PNC's Proof of Claim in the Second Chapter 13 does not credit the Debtors' account and has falsely included those payments as not being received. **See Exhibit D.**

8. The pre-petition arrears of PNC's Proof of Claim No. 5 should be amended to reflect the mortgage payments made between the two cases and reduced to remove the property inspection fees, BPO fees, unidentified legal costs and legal fees (less costs of MFR and Stipulation of \$1,026) as unreasonable and unnecessary from \$56,939.52 to 40,047.84.

**WHEREFORE**, the Debtors JOSEPH and AMY BISSETT respectfully request this Court enter an Order GRANTING their Objection and AMENDING amount of pre-petition arrears owed to PNC in Claim Number 5 from \$56,939.52 to \$40,047.84 along with any other relief which the Court deems just and proper.

Respectfully Submitted,

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Dated: September 24, 2018